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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/751,174	12/31/2003	Nicholas W. Oakley	42.P18067	3400

7590 01/10/2006
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EXAMINER

WRIGHT, INGRID D

ART UNIT	PAPER NUMBER
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2835

DATE MAILED: 01/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/751,174	Applicant(s) OAKLEY, NICHOLAS W.	
	Examiner Ingrid Wright	Art Unit 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5,7-11,14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung et al. US 6384811 B1.

With respect to claim 1, Kung et al. teaches (fig. 6) a portable computer (not labeled) comprising a base (3), a lid (2), a first link (40) hinged to the base (3) about a first axis at a first position, and hinged to the lid (2) about a second axis; and a second link (42) hinged to the base (3) about a third axis at a second position, and hinged to the lid (2) about a fourth axis, (Column 3, Lines 65-67 & Column 4, Lines 1-8).

Kung et al. lacks a distance between the first position and the second position, being shorter than one half the length of the base.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to reposition the links indicated at by Kung et al., in order to provide an alternate equivalent means of providing a support structure for the lid. Repositioning the links will still provide the same support for a lid in a portable computer.

With respect to claim 2, Kung et al. teaches (fig. 7) the first (40) and second link (42) situated to position an edge of the display (2) a distance from a first edge of the base (3) towards a second opposite edge of the base, when the lid (2) is in an unfolded position (Column 3, Lines 65-67 & Column 4, Lines 1-20).

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With respect to claim 3, Kung et al. teaches (fig. 6) the first link (40) is pivotally coupled to the first edge of the base (3), and the second link (42) is pivotally coupled to the base (3) between the first link (40) and the second edge of the base (3) (Column 3, Lines 65-67 & Column 4, Lines 1-20).

With respect to claim 4, Kung et al. teaches (fig. 7) in the unfolded position, a distance between the first link (40) pivotally coupled to the base (3) and second link (42) pivotally coupled to the base (3), is less than a distance between the bottom of the lid (2) and the first edge of the base (3).

With respect to claims 5, 11 & 16 respectively, Kung et al. teaches (fig. 6) the apparatus is mobile computer system (not labeled).

With respect to claim 7, Kung et al. teaches (fig. 7) a portable computer (not labeled) comprising a base (3); a Lid (2); a first link (40) pivotally coupled to the base (3) and pivotally coupled to the lid (2); and a second link (42) pivotally coupled to the base (3) and pivotally coupled to the lid (2), the first and second link (40, 42) positioned to position an edge of the display (2) a distance from a first edge of the base (3) towards a second opposite edge of the base (3), when the lid (2) is in an unfolded position.

Kung et al. lacks a distance between the first position and the second position, being shorter than one half the length of the base.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to reposition the links indicated at by Kung et al., in order to provide an alternate equivalent means of providing a support structure for the lid. Repositioning the links will still provide the same support for a lid in a portable computer.

With respect to claim 8, Kung et al. teaches (fig. 7) the first link (40) has a length greater than the second link (42).

With respect to claim 9, Kung et al. teaches (fig. 7) the first link (40) is pivotally coupled to first edge of the base (3), and the second link (42) is situated between the first link (40) and the second edge of the base (3).

With respect to claim 10, Kung et al. teaches (fig. 7) in the unfolded position, a distance between the first link (40) pivotally coupled to the base (3) and second link (42) pivotally coupled to the base (3), is less than a distance between the bottom of the lid and the first edge of the base.

With respect to claim 11, Kung et al. teaches (fig. 6) the apparatus is mobile computer system (not labeled).

With respect to claim 14, Kung et al. teaches (fig. 6) a portable computer (not labeled) comprising a base (3); a lid (2); a first link (40) pivotally coupled to a first edge of the base (3) at a first position and pivotally coupled to lid (2), a first distance from an edge of the lid (2); and a second link (40) pivotally coupled to the base (3) at a second position, a second distance from the first link (40), and pivotally coupled to an edge of the lid (2).

Kung et al. lacks a distance between the first position and the second position, being shorter than one half the length of the base.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to reposition the links indicated at by Kung et al., in order to provide an alternate equivalent means of providing a support structure for the lid. Repositioning the links will still provide the same support for a lid in a portable computer.

With respect to claim 15, Kung et al. teaches (fig. 7) the first link (40) and second link (42) are coupled to the base (3) and lid (2), to position the edge of the lid (2) a third distance from the first edge of the base (3) towards a second opposite edge of the base (3), when the lid (2) is in an unfolded position.

2. Claims 6,12,13, & 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kung et al. US 6384811 B1 in view of Landry et al. US 6654234 B2.

With respect to claim 6, in regards to all the limitations of claims 1-5 above, Kung et al. teaches (fig. 6) the first and second links (40,42) are pivotally coupled to a member section (124) of the base (3), the member section pivotally coupled to the base (3).

Kung et al. does not teach a member section of the base (3), the member section pivotally coupled to the base (3).

Landry et al. teaches (fig. 5) a computing device (10) comprising a member section (124) of a base (74), the member section pivotally coupled to a base (74) (Column 4, Lines 59-67 & Column 5, Lines 1-21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the pivotal member as taught by Landry et al. on the base of Kung et al., in order to provide a more pivotal rotation about any desired height and angle desired by the user (Column 5, Lines 19-21 of Landry et al.).

With respect to claims 12 & 17 respectively, in regards to all the limitations of claims 7 & 14-16 above, Kung et al. teaches (fig. 6) first and second links (40,42).

Kung et al. does not teach the first and second links are pivotally coupled to a member section of the base.

Landry et al. teaches (fig. 5) the member section (124) pivotally coupled to a base (74).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the pivotal member as taught by Landry et al. on the base with coupled links of Kung et al., in order to provide a more pivotal rotation about any desired height and angle desired by the user (Column 5, Lines 19-21 of Landry et al.).

With respect to claim 13, in regards to all the limitations of claim 7 above, Landry et al. teaches (fig. 5) the member section (124) pivotally coupled to a base (74).

Response to Arguments

3. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection. In regards to the prior art, Kung et al. is relied upon as teaching a pair of links (see, fig. 6 & 7 of Kung et al.). The limitation "wherein a distance between the first position and the second position is shorter than one half the length of the base" was taken into consideration. Upon measuring the actual figure, it appears that the distance between the first position and the second position is longer than one half the length of the base by a small fraction. The limitation quoted above does not change the scope of claims. The art provided by the Kung et al. reads on the claims. One of ordinary skill could reposition the linkages and still provide the same support system for the lid. Therefore, the amendment does not make the claims patentable over the prior art.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicants' amendment necessitated new grounds of rejection. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

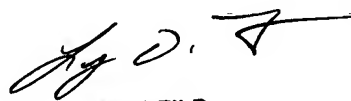
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571)272-8392. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571)272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

1/4/06
IDW


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